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FACSIMILE COVER SHEET

TO: Examiner Bradley L. Sisson
U. S. Patent & Trademark Office
Group Art Unit 1634

FROM: Damond E. Vadnais, Reg. No. 52,310

RE: U.S. Application No. 10/770,458
Atty. Docket No.: 03500.017889.

FAX NO.: (571) 273-8300

DATE: August 7, 2006

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MESSAGE

Attachment:

Response to Restriction Requirement

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03500.017889.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|-----------------------------|
| In re Application of: |) | |
| | : | Examiner: Bradley L. Sisson |
| YOSHIKATSU OKADA |) | |
| | : | Group Art Unit: 1634 |
| Application No.: 10/770,458 |) | |
| | : | |
| Filed: February 4, 2004 |) | |
| | : | |
| For: PROBE MEDIUM AND |) | |
| METHOD OF PRODUCING | : | |
| THE SAME |) | August 7, 2006 |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action dated July 10, 2005, Applicant provisionally elects to prosecute the Group I claims, namely Claims 1 to 9. The restriction requirement is, however, traversed.

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Traversal is on the ground that there would not be undue burden in examining the four groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I through IV in a single application, since the four groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

If the restriction requirement is maintained, rejoinder of non-elected process Claim 13 is respectfully requested upon the allowance of product Claim 1, pursuant to MPEP § 821.04(b).

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Diamond E. Vadnais
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